

AGENDA - COUNCIL MEETING - TUESDAY - MAY 18, 2004 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS
with notes of action taken

MOTIONS 2004-0510 to 2004-0559
ORDINANCES – 2004-0470 to 2004-0495
RESOLUTIONS – 2004-0011 to 2004-0013

2004-0509-1

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Holm

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

Motions 2004-0510 to 2004-0517 – Procedural motions

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - MAY 19, 2004 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARINGS - 9:00 A.M.

1. Motion 2004-0518 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **FALLBROOK UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FALLBROOK UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

2. Motion 2004-0519 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **FAULKLEY GULLY MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FAULKLEY GULLY MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of **FAULKLEY GULLY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

HEARINGS - continued

3. Motion 2004-0520 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 52** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 52**, in Harris County, Texas; providing for the publication of notice of such hearings

4. Motion 2004-0521 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 102** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 102**, in Harris County, Texas; providing for the publication of notice of such hearings

5. Motion 2004-0522 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 147** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 147** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 147**, in Harris County, Texas; providing for the publication of notice of such hearings

6. Motion 2004-0523 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150**, in Harris County, Texas; providing for the publication of notice of such hearings

7. Motion 2004-0524 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 211** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 211**, in Harris County, Texas; providing for the publication of notice of such hearings

8. Motion 2004-0525 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 233** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 233** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 233**, in Harris County, Texas; providing for the publication of notice of such hearings

9. Motion 2004-0526 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248** and certain territory located in the vicinity of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 248**, in Harris County, Texas; providing for the publication of notice of such hearings

HEARINGS - continued

10. Motion 2004-0527 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 116** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 116** and certain territory located in the vicinity of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 116**, in Harris County, Texas; providing for the publication of notice of such hearings

11. Motion 2004-0528 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT**, in Harris County and Fort Bend County, Texas; providing for the publication of notice of such hearings

12. Motion 2004-0529 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 20** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 20**, in Harris County, Texas; providing for the publication of notice of such hearings

13. Motion 2004-0530 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of **REID ROAD MUNICIPAL UTILITY DISTRICT NO. 1**, in Harris County, Texas; providing for the publication of notice of such hearings

14. Motion 2004-0531 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **WESTLAKE MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **WESTLAKE MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of **WESTLAKE MUNICIPAL UTILITY DISTRICT NO. 1**, in Harris County, Texas; providing for the publication of notice of such hearings

15. Motion 2004-0532 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **CHARTERWOOD MUNICIPAL UTILITY DISTRICT** to enter into an amendment to a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **CHARTERWOOD MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; providing for the publication of notice of such hearings

16. Motion 2004-0533 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50** and certain territory located in the vicinity of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 50**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

HEARINGS - continued

17. Motion 2004-0534 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 35**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

18. Motion 2004-0535 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **GRAND LAKES WATER CONTROL AND IMPROVEMENT DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **GRAND LAKES WATER CONTROL AND IMPROVEMENT DISTRICT**, in Fort Bend County, Texas; providing for the publication of notice of such hearings

19. Motion 2004-0536 – Close hearing

PUBLIC HEARING on a proposal for the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36** and certain territory located in the vicinity of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**, in Harris County, Texas; providing for the publication of notice of such hearings

MAYOR'S REPORT - Presentation on City of Houston Budget for FY2005 - **Presented**

CONSENT AGENDA NUMBERS 20 through 61

MISCELLANEOUS - NUMBERS 20 and 21

20. Motion 2004-0537

RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Clear Lake City-County Freeman Branch Library, CIP E-0045 **DISTRICT E - WISEMAN**

21. Motion 2004-0543

RECOMMENDATION from Director Department of Public Works & Engineering for approval of FY2005 Annual Operating Budget for the Houston Area Water Corporation - \$7,831,057.00 Enterprise Fund

ACCEPT WORK - NUMBERS 22 through 26

22. Motion 2004-0538

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,327,085.79 and acceptance of work on contract with **PEDKO PAVING, INC** for Construction of Lee Road Widening: Garner Bayou to FM1960, GFS N-0709-01-3 (SB9005-1) - 06.01% under the original contract amount - **DISTRICT B - GALLOWAY**

23. Council Member Goldberg tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,131,166.55 and acceptance of work on contract with **SILVA, INC** for Construction of Generic Overlay Program (Package I), GFS N-1037-22-3 (OL2022) - 04.18% under the original contract amount - **DISTRICT C - GOLDBERG**

ACCEPT WORK - continued

24. Council Members Green and Edwards tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,480,149.13 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-18-3 (4257-28) - 02.55% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO**

25. Council Members Galloway, Green, Edwards, Quan and Khan tagged

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,268,163.26 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-25-3 (4235-13) - 04.89% over the original contract amount

26. Motion 2004-0539

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,903,230.81 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Maintenance by Point Repair with Cleaning and Televising, GFS R-0266-71-3 (4277-3) - 08.50% under the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO**

PURCHASING AND TABULATION OF BIDS - NUMBERS 27 through 32

27. Council Member Wiseman tagged

HOUSTON TURF EQUIPMENT for Mowers for Parks & Recreation Department - \$63,750.00 Equipment Acquisition Consolidated and Parks Special Revenue Funds

28. Council Member Wiseman tagged

HOUSTON-GALVESTON AREA COUNCIL for Tractors through the Interlocal Agreement for Cooperative Purchasing for Parks & Recreation Department - \$69,241.08 - Equipment Acquisition Consolidated Fund

29. Motion 2004-0540

AMEND MOTION #2001-943, 8/22/01, TO EXTEND expiration date from August 27, 2004 to August 26, 2005, for Fuel, Aviation Gasoline and Turbine Fuel Contract for Houston Police Department, awarded to **ADA RESOURCES, INC**

30. Motion 2004-0541

HI-WAY EQUIPMENT COMPANY, INC for Equipment, Fiat Allis Road Machinery Replacement Parts and Repair for Department of Public Works & Engineering - \$139,467.31 - Fleet Management and Storm Water Utility Funds

Motion 2004-0542 – Remove Item 44 from consent agenda

31. Pulled-Not Considered

AMEND MOTION #2000-1011, 8/16/00, as amended by MOTION #2003-495, 5/21/03, TO EXTEND expiration date from August 16, 2004 to August 15, 2005, for Screw Fasteners Contract for Various Departments, awarded to **D. F. SALES**

PURCHASING AND TABULATION OF BIDS - continued

32. Motion 2004-0544

HOUSTON-GALVESTON AREA COUNCIL for Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing for Various Departments - \$694,219.20 - Grant, Enterprise and Equipment Acquisition Consolidated Funds

RESOLUTIONS AND ORDINANCES - NUMBERS 33 through 61-22

33. Resolution 2004-0012

RESOLUTION supporting and accepting the transfer by **TEXAS DEPARTMENT OF TRANSPORTATION** (TXDOT) of full maintenance and ownership of F. M. 865 from US 90A to the south right-of-way of Holmes to the City of Houston; and redesignating this section of F.M. 865 as Cullen Boulevard and placing this segment of Cullen Boulevard on the City's Road Log; (SB9143-03) - **DISTRICT D - EDWARDS**

34. Resolution 2004-0011

RESOLUTION designating a certain property located at 715 Franklin Avenue in the City of Houston as a historic landmark (Magnolia Brewery Taproom Building) - **DISTRICT I - ALVARADO**

Motion 2004-0545 – Suspend rules to hear representative of HPD on Item 35

35. Council Members Wiseman, Edwards, Quan, Alvarado, Galloway, Holm, Garcia and Lawrence tagged

ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Towing of Vehicles and the Operation of Auto Wreckers; authorizing the Chief of Police to enter into agreements for Police authorized Major Freeway Vehicle Tows, providing for procedures, fees, and other requirements for certain vehicle tows and containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful; providing for severability

Council Member Green presented the following written motion to amend Item 35:

Propose the following amendment to the proposed Towing Ordinance, Section 8-117(b):

“(b) Once a towing request has been solicited via police dispatch to a wrecker, the tow service shall be deemed a non-consent tow and services shall remain a non-consent tow under the auspices of the authorizing agency, regardless of the consent of the automobile owner, who is solicited by a wrecker to tow his or her vehicle at the scene.”

Tagged by Council Members Sekula-Gibbs, Wiseman, Ellis, Galloway and Ellis

36. Ordinance 2004-0486

ORDINANCE approving first amendment to the Substitute Credit Agreement relating to the City of Houston, Texas, General Obligation Commercial Paper Notes, Series A; and declaring an emergency

37. Ordinance 2004-0470

ORDINANCE consenting to the addition of 173.0631 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 154**, for inclusion in its district

38. Ordinance 2004-0471

ORDINANCE consenting to the addition of 13.1829 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191**, for inclusion in its district

RESOLUTIONS AND ORDINANCES - continued

39. Ordinance 2004-0472

ORDINANCE consenting to the addition of 0.753 acre of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**, for inclusion in its district

40. Ordinance 2004-0473

ORDINANCE consenting to the addition of 29.19 acres of land to **RICEWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district

41. Ordinance 2004-0474

ORDINANCE establishing the west side of the 1200 block of Oxford Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA**

42. Ordinance 2004-0487

ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for Mutual Aid during times of emergency

43. Council Members Holm, Berry and Sekula-Gibbs tagged

ORDINANCE approving and authorizing contract between the City of Houston and **INNOVATIVE INTERFACES, INC** for an Integrated Library System; providing a maximum contract amount 3 Years - \$1,048,806.00 - HALAN Fund

44. Council Members Holm and Garcia tagged

ORDINANCE approving and authorizing contract between the City of Houston and **ePLUS DOCUMENT SYSTEMS, INC** for Imaging Software License Upgrade, Support and Professional Services for the Planning & Development Department; providing a maximum contract amount \$385,592.50 - Building Inspection Funds

45. Council Members Galloway, Garcia and Green tagged

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **C. P. C. MAINTENANCE, INC** for Dry Pit Pump Parts & Repair Services for the Public Works & Engineering Department (as approved by Ordinance No. 99-612)

46. Ordinance 2004-0475

ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **TRIPLE D. SECURITY, INC dba AMERICAN ARMORED TRANSFER** for Armored Car Services for Various Departments (as approved by Ordinance No. 99-992)

47. Council Members Edwards and Goldberg tagged

ORDINANCE approving and authorizing first amendment to joinder agreement between the City of Houston and **HOUSTON MCLANE COMPANY, INC** for the Major League Baseball All-Star Game - \$78,800.00 - Enterprise Fund

48. Ordinance 2004-0476

ORDINANCE appropriating \$77,696.88 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **BEAZER HOMES TEXAS, L.P.**, for Construction of Water and Sanitary Sewer lines to serve Section Five of the Post Oak Place Subdivision, CIP S-0802-16-03 and R-0802-16-03 **DISTRICT D - EDWARDS**

RESOLUTIONS AND ORDINANCES - continued

49. Ordinance 2004-0488

ORDINANCE appropriating \$5,030,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase of approximately 14.69 acres of land and improvements thereon out of the A.R. Bodman Survey, A-141, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0082.14.1; approving purchase and sale agreement with the owner of the land (Panalpina, Inc) - **DISTRICT B - GALLOWAY**

50. Ordinance 2004-0477

ORDINANCE appropriating \$33,600.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998C NON-AMT (536); authorizing purchase of certain tracts of land out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-30.1; approving purchase and sale agreements with the owners of the land (Arturo J. Castillo and Mary E. Castillo) - **DISTRICT B - GALLOWAY**

51. Ordinance 2004-0478

ORDINANCE appropriating \$120,500.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of R. F. Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-31.1; approving purchase and sale agreements with the owners of the land (Sharon Dian McCormick) - **DISTRICT B - GALLOWAY**

52. Ordinance 2004-0479

ORDINANCE appropriating \$199,200.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section Two and R. F. Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-32.1; approving purchase and sale agreements with the owners of the land (Sanjuana Ruvalcaba, and Alberto Martinez and Dalia Diaz) - **DISTRICT B - GALLOWAY**

53. Ordinance 2004-0480

ORDINANCE appropriating \$814,000.00 out of Airports Improvement Fund and approving and authorizing professional engineering services contract between the City of Houston and **BINKLEY & BARFIELD, INC** for Miscellaneous Airfield Lighting Improvements, Generators and Generator Buildings at Ellington Field (Project No. 588); CIP A-0428 - **DISTRICT E - WISEMAN**

54. Ordinance 2004-0481

ORDINANCE appropriating \$453,270.50 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services contract between the City and **CARTER & BURGESS, INC** for Rehabilitation and Improvements at East Water Purification Plant, CIP S-0056-33-3 (10594-3) - **DISTRICT E - WISEMAN**

55. Ordinance 2004-0482

ORDINANCE appropriating \$33,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to contract between the City and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Lift Station Rehabilitation and Replacement (approved by Ordinance No. 2000-0063); CIP R-0267-60-2 (WW4765); providing funding for contingencies relating to the construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY and H - GARCIA**

RESOLUTIONS AND ORDINANCES - continued

56. Ordinance 2004-0483

ORDINANCE appropriating \$269,312.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City and **TURNER COLLIE & BRADEN, INC** for Design of Greens Road from John F. Kennedy Boulevard to Aldine-Westfield; CIP N-0686-01-2 (SB9101); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT B - GALLOWAY**

57. Ordinance 2004-0484

ORDINANCE appropriating \$358,230.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services contract between the City of Houston and **EPSILON ENGINEERING, INC** for Design of Water Line Replacement in the Canterbury Village, CIP S-0035-B7-2 (WA10780); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS**

58. Ordinance 2004-0485

ORDINANCE appropriating \$382,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services contract between the City of Houston and **DE ANDA ENGINEERING, INC** for Design of Water Line Replacement in the Huntington Place Subdivision, CIP S-0035-C2-2 (WA10784); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H - GARCIA**

59. Council Members Galloway, Garcia, Green, Quan and Khan tagged

ORDINANCE awarding construction contract to **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal, providing funding for engineering testing services and contingencies relating to the repair of facilities financed by the Water & Sewer System Operation Fund (WA10633-03) - \$1,600,100.00 - Enterprise Fund

60. Ordinance 2004-0489

ORDINANCE appropriating \$3,334,000.00 out of Fire Consolidated Construction Fund, awarding construction contract to **R. HASSELL BUILDERS, INC** for construction of New Fire Station 86, GFS C-0061-01-3, setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services; Civic Art Program; construction management and contingencies relating to construction of facilities financed by Fire Consolidated Construction Fund - **DISTRICT G - HOLM**

RESOLUTIONS AND ORDINANCES - continued

61. Ordinances 2004-0432 to 2004-0453 – Passed second reading in full

ORDINANCE Nos. 2004-432 through 2004-453 passed first reading May 12, 2004
ORDINANCES (22 separate ordinances) granting the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions, to the following: - **SECOND READING**

- | | |
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| 1 2004-432 Affordable Environmental Services | 12 2004-443 GTM Services, Inc |
| 2 2004-433 All Star Roll-Offs, L.P. | 13 2004-444 Intergulf Corporation |
| 3 2004-434 3CI Complete Compliance Corpora | 14 2004-445 January Transport, Inc |
| 4 2004-435 Cherry Industrial Services, Inc | 15 2004-446 Jefferson Trash Service |
| 5 2004-436 Chief Consulting Services | 16 2004-447 NP Vacuum Service |
| 6 2004-437 Clean Harbors Environme | 17 2004-448 Public Sanitary Works, Inc |
| Services, Inc | 18 2004-449 Rowell Investments, Inc |
| 7 2004-438 Coal City Cob Company | 19 2004-450 Texas Contract Construction, Inc |
| 8 2004-439 Columbia Environmental Services, | 20 2004-451 The Groce Company, Inc |
| 9 2004-440 Commercial Care Services, Inc | 21 2004-452 Tommy Miles Garbage Service |
| 10 2004-441 D'HAWK Grease Trap Company | 22 2004-453 XKLEN Corporation |
| 11 2004-442 Empire Waste, Inc | |

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBER 62

MISCELLANEOUS

62. Motion 2004-0546 – Close nominations

RECEIVE nominations for Positions Six and Seven on the **CIVIC ART COMMITTEE** with terms to expire on January 1, 2006

Ms. Susan Young nominated to Position 6

Mr. Chris Hageney nominated to Position 7

MATTERS HELD - NUMBERS 63 through 75

63. Motion 2004-0547 - Adop

MOTION by Council Member Alvarado/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$3,399,155.11 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-23-3 (4257-29) - 00.16% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; - D - EDWARDS; F - ELLIS; H - GARCIA and I - ALVARADO** - TAGGED BY COUNCIL MEMBER EDWARDS
This was Item 5 on Agenda of May 12, 2004

MATTERS HELD - continued

64. Motion 2004-0548 - Adopt

RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,218,735.98 and acceptance of work on contract with **PM CONSTRUCTION & REHAB. L. P.** for Rehabilitation of Sanitary Sewers in the FWSD No. 23 Service Area, GFS R-2011-29-3 (4761-2) - 38.34% under the original contract amount
DISTRICT B - GALLOWAY - TAGGED BY COUNCIL MEMBER HOLM
This was Item 6 on Agenda of May 12, 2004

65. Motion 2004-0549 - Adopt

HI-WAY EQUIPMENT CO., INC for Rental of One Asphalt Road Patching Truck for Department of Public Works & Engineering - \$82,560.00 - General Fund
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 10 on Agenda of May 12, 2004

66. Resolution 2004-0013

RESOLUTION approving and adopting a Revised Investment Policy for the City of Houston
TAGGED BY COUNCIL MEMBER WISEMAN
This was Item 14 on Agenda of May 12, 2004

Motion 2004-0550 – Suspend rules to hear from Mr. Rick H. Grochoske on Item 67

Motion 2004-0551 – Suspend rules to remain in session until 12:30 pm

67. Motion 2004-0552 – Substitute revised ordinance and postpone Item 67 one (1) week

ORDINANCE relating to Impairments and Obstructions of Roadways and Sidewalks;
AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability
TAGGED BY COUNCIL MEMBERS WISEMAN and ELLIS
This was Item 18 on Agenda of May 12, 2004

68. Ordinance 2004-0490

ORDINANCE designating **BANK ONE, COMERICA BANK, COMPASS BANK, CONCORD BANK N.A., FROST NATIONAL BANK, JP MORGAN CHASE BANK, SOUTHWEST BANK OF TEXAS N.A., TEXAS FIRST NATIONAL BANK, STERLING BANK** and **WELLS FARGO BANK TEXAS, N.A.**, as authorized depositories for City funds
TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and ELLIS
This was Item 22 on Agenda of May 12, 2004

69. Ordinance 2004-0491

ORDINANCE approving and authorizing contract between the City and **HOUSTON ADVANCED RESEARCH CENTER** for Environmental Public Health Services; providing a maximum contract amount - \$345,000.00 - Grant Fund - **TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS**
This was Item 25 on Agenda of May 12, 2004

70. Ordinance 2004-0492

ORDINANCE approving and authorizing Tax Abatement Agreement between City of Houston, Texas, **THIRD COAST PRODUCE COMPANY, LTD** and **BLUEBONNET FARMS, LTD**
DISTRICT I - ALVARADO - **TAGGED BY COUNCIL MEMBER ELLIS**
This was Item 27 on Agenda of May 12, 2004

MATTERS HELD - continued

71. Ordinance 2004-0493

ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract with **QUADRANT CONSULTANTS, INC** for Safe Sidewalk Program E0 Project, CIP N-0610A-E0-2 (SB9136); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 39 on Agenda of May 12, 2004

72. Ordinance 2004-0494

ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services under contract with **HVJ ASSOCIATES, INC** for Pavement Management Maintenance Program (PMMP), CIP N-0667-02-2 (N-0667); (approved by Ordinance No. 2001-0610); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 42 on Agenda of May 12, 2004

Motion 2004-0553 – Procedural motion

Motion 2004-0554 – Procedural motion

73. Motion 2004-0555 - Amend

AMEND MOTION #2004-271, 3/10/04, TO INCREASE quantity of Item 29 awarded to **PHILLPOT MOTORS, LTD** and award Item 21 to **LAWRENCE MARSHALL FORD-MERCURY, L.P.** in connection with bids received for Light-Duty Trucks, for a total increase of \$110,516.00 Equipment Acquisition Consolidated Fund - **REQUIRES THREE MOTIONS**

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 50 on Agenda of May 12, 2004

Motion 2004-0556 – Amend Item 74 to lower allocation and maximum contract to \$51,215.00

74. Ordinance 2004-0495 – Adopt as amended

ORDINANCE awarding contract to **ARCH WIRELESS OPERATING COMPANY, INC** for Pager Rental Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$51,215.00 - General, Enterprise, Grant and Other Funds

TAGGED BY COUNCIL MEMBER WISEMAN

This was Item 52 on Agenda of May 12, 2004

Motion 2004-0557 – Suspend rules to hear from Mr. Richard Lewis on Item 75

75. Motion 2004-0558 – Postpone one (1) week

ORDINANCE approving and authorizing second amendment to the Master Agreement for the acquisition of Microtechnology Hardware and Software Products and associated services between the City of Houston and **TEXAS DEPARTMENT OF INFORMATION RESOURCES (DIR)** to allow the City to use DIR's Go Direct Program to add products and services and to streamline the procurement process - **TAGGED BY COUNCIL MEMBER WISEMAN**

This was Item 53 on Agenda of May 12, 2004

Motion 2004-0559 – Suspend rules to remain in session until 12:50 pm

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Ellis first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

5/18/2004 – Council Members Garcia and Ellis out of the City on City business

5/19/2004 – All Present